

Remarks in Support of Patentability

In the office action dated March 22, 2007, the Examiner rejected Claims 1, 3-7, 9 and 24-26 under 35 USC § 112, first paragraph as allegedly failing to comply with both the written description and enablement requirements. More specifically, the Examiner asserted that the specification did not describe a representative number of species in the genus of nuclear steroid receptors capable of binding single stranded polynucleotides. However, the Examiner acknowledged that the specification is enabling for the species of estrogen receptors that are capable of binding single stranded polynucleotides. Applicant respectfully traverses this rejection and requests reconsideration of this rejection in light of the following:


The chimeric protein of Applicant's invention is comprised of both a nuclear steroid receptor and a target peptide wherein the nuclear steroid receptor may bind to a nucleotide binding domain on a single stranded polynucleotide. While the application is not limited to any specific type of nuclear steroid receptor, the Examiner acknowledged that estrogen is one species that is enabled within the application. Moreover, the estrogen receptor is discussed in the specification as binding to nucleotide sequences such as SEQ ID Nos 11 and 13. To this end, Applicant remains steadfast in the position that the specification enables a synthetic construct which comprises a binding domain from a member of the nuclear steroid receptor family. However, in order to expedite prosecution of this pending application, independent claims 1, 24 and 25 have been amended, without prejudice, to recite an estrogen receptor. Applicant reserves the right to pursue one or more continuation and/or divisional applications covering additional subject matter supported by the present specification.

The claims, as amended, are believed to be in condition for allowance and Applicant respectfully requests that the amendments be entered and allowed.

To the extent there is any fee required in connection with the receipt, acceptance and/or consideration of this paper and/or any accompanying papers submitted herewith, please charge all such fees to Deposit Account 50-1943.

Respectfully submitted,

Date: 22 May 2007



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**CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Mailstop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



(signature)

BY: Sherry Barag

DATE: May 22, 2007

